IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2438 OF 2006
IN
CRIMINAL APPEAL NO.23 OF 2005
IN
SESSIONS CASE NO.152 OF 2004

Manik Shripat Kale & anr. Applicants
versus
The State of Maharashtra Respondents

Shri D.B.Tore for applicants.
Shri P.I.Hingorani, APP for respondents.

CORAM : S.C.DHARMADHIKARI, J.
DATE : 30th August 2006

PC :

1. The applicants along with six others were arrested by Uran Police Station for the alleged offence punishable under sections 396 and 397 of IPC. They were convicted by Second Ad-hoc Additional Sessions Judge on 28th April 2005. Thereafter, they have filed an appeal before the learned Sessions Judge which appeal was admitted. An application was preferred for releasing them on bail on 7th May 2005 but while admitting the appeal the learned Sessions Judge has rejected the application for being enlarged on bail. This is how present application for bail is filed in

this Court.

2. After hearing learned advocate for the applicants and the learned APP and perusing the affidavit filed by the wife so also the other relations of the applicant no.2 and considering the fact that the sentence imposed is of five years and the applicants were in custody all through out the trial, interest of justice would be subserved if the applicants are enlarged on bail pending the disposal of their appeal on the following terms and conditions :-

3. ORDER :-

(i) The applicant shall be enlarged on bail in connection with C.R.No.84 of 2004 registered with Uran Police Station, Dist. Raigad subject to furnishing a personal bond of Rs.5,000/- (Rs.Five thousand only) each with one or two local sureties in the like sum;

(ii) The applicants shall attend the Court on the dates fixed for the hearing of their Criminal Appeal No.23 of 2005;

(iii) The applicants shall before their release furnish residential address.

(iv) Application is disposed of in above terms.

(S.C.DHARMADHIKARI, J.)